IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

EZEKIAL DAVIS,   )
)
                     Plaintiff,   )
)
v.   )   Case No. CIV-25-00502-PRW
)
DAVID LOUTHAN, et al.,   )
)
                     Defendants.   )

ORDER

On May 30, 2025, United States Magistrate Judge Suzanne Mitchell issued a Report

and Recommendation (Dkt. 9) in this action, in which she recommends that the Court deny

Plaintiff Ezekial Davis's motion for leave to proceed in forma pauperis (Dkt. 2). Judge

Mitchell advised Davis of his right to object to the Report and Recommendation by June

20, 2025, in accordance with 28 U.S.C. § 636 and Federal Rule of Civil Procedure 72, and

that failure to make a timely objection would waive any right to appellate review of the

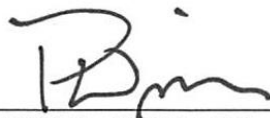factual and legal issues addressed in the Report and Recommendation.

To date, Davis has filed no objections. He has therefore waived his right to appellate

review of the factual and legal issues addressed in the Report and Recommendation.[1] In

the absence of a timely objection, the Court reviews the Report and Recommendation to

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[1] *United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1059–60 (10th Cir. 1996).

confirm that there is no plain error on the face of the record.[2] Finding none, the Court agrees with Judge Mitchell's analysis and conclusions.

Upon review, the Court **ADOPTS** the Report and Recommendation (Dkt. 9) in full, **DENIES** Davis's motion for leave to proceed in forma pauperis (Dkt. 2), and **ORDERS** Davis to pay the full $405.00 filing fee on or before August 1, 2025. The Court cautions Davis that "[f]ailure to pay the filing fees by the date specified, to seek a timely extension within which to make the payment, or to show cause in writing by the date specified for payment shall be cause for dismissal of the action without prejudice to refiling."[3]

IT IS SO ORDERED this 11th day of July 2025.

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PATRICK R. WYRICK
UNITED STATES DISTRICT JUDGE

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[2] *Summers v. State of Utah*, 927 F.2d 1165, 1167–68 (10th Cir. 1991) ("In the absence of timely objection, the district court may review a magistrate's report under any standard it deems appropriate.").

[3] *See* LCvR3.3(e).